

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



February 3, 2005

Regulation Package #1003-24

CDSS MANUAL LETTER NO. EAS-04-08

TO: HOLDERS OF THE EAS MANUAL

Regulation Package #1003-24

Effective 9/8/04

Section 42-717

This manual letter has been posted on the Office of Regulations Development website at [http://www.dss.cahwnet.gov/ord/Eligibilit\\_617.htm](http://www.dss.cahwnet.gov/ord/Eligibilit_617.htm).

Welfare and Institutions Code Section 11320.15 provides that a participant that has received aid for a total of 60 months shall be removed from the assistance unit for the purpose of calculation of aid. However, Welfare and Institutions Code Sections 11323.2(b) and 11500 allow counties to provide job retention services to former recipients for up to 12 months after leaving aid. These regulations amend MPP Section 42-717 to clarify that services may be provided to former CalWORKs recipients both before and after they have exhausted their CalWORKs 60-month time limit, and the county may determine the duration, type, and reimbursement rate for services such as transportation. MPP Section 42-717 conforms to current policy allowing the counties broader flexibility in providing job retention services and clarifies the eligibility requirements for services.

These regulations were considered at the Department's public hearing held on April 21, 2004.

FILING INSTRUCTIONS

The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing EAS changes was EAS-04-07.

Page(s)Replace(s)

259.3 through 259.5

Pages 259.3 and 259.4

Attachments

SK

**This page is intentionally left blank.**

42-716	<b>WELFARE-TO-WORK ACTIVITIES</b> (Continued)	42-716
--------	--	--------

- .874 To comply with all applicable federal and state labor laws and regulations.
- .875 That the employer's participation in grant-based-OJT funded job placements may be cancelled pursuant to Section 42-716.881.
- .88 The CWD shall monitor the retention of participants as employees by employers participating in grant-based OJT.
- .881 The CWD shall cancel participation of employers who demonstrate, over a period of time, either of the following:
  - (a) An unwillingness to hire recipients who participated in grant-based OJT with such employers.
  - (b) An inability to provide the participant with the job skills to obtain unsubsidized employment with other employers.
- .882 The CWD shall collect and maintain such records as are necessary to verify participating employer's retention of participants or subsequent unsubsidized employment with other employers.
- .89 Any participant in a grant-based OJT-funded position, who fails or refuses to comply with program requirements without good cause shall be sanctioned in accordance with Section 42-721.4.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 11253.5(b), 11265.1, 11265.2, 11320.3(b)(2), 11322.6, 11322.61, 11322.7, 11322.8, 11322.9(a), (b), (c), (d)(6), (e), and (f), 11324.4, 11325.22(b)(1), 11325.7(a), (c), (d), 11325.8(a), (c), (d), and (f), 11327.5, 11450.5, 11451.5, and 11454(a), Welfare and Institutions Code; and Section 8358(c)(2), Education Code; 7 U.S.C. 2029(a)(1); 7 U.S.C. 2035; U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on an SFSP, dated May 22, 1997; and Simplified Food Stamp Program approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000.

**42-717 JOB RETENTION SERVICES****42-717**

- .1 If provided in the county plan, the CWD may provide job retention services to employed former CalWORKs recipients for a period of up to 12 months. The purpose of job retention services is to assist former recipients to retain employment or to obtain a better job.
  - .11 The period of up to 12 months begins on the earlier of the following dates, but in no event later than one year after the former recipient's aid is discontinued.
    - .111 The date that the former recipient's aid is discontinued, if the former recipient is employed at that time.
    - .112 The date that the former recipient becomes employed.
  - .12 Job retention services may include but are not limited to case management, mental health and/or substance abuse services, domestic abuse services, parenting classes, vocational training, and supportive services (transportation, ancillary).
  - .13 A former recipient who does not become employed during the 12 month period after being discontinued from aid is not eligible to receive services under Section 42-717.
- .2 The CWD may provide job retention services to the extent that the services are:
  - .21 not provided by the employer or the entity that arranged the job placement, if other than the county;
  - .22 not available from other sources;
  - .23 needed for the individual to retain employment, or needed to advance to new employment that may provide greater income or better benefits.
- .3 The CWD may provide services to employed former recipients under Section 42-717 whether or not the former recipients have exhausted their CalWORKs 60-month time limits.
- .4 If the CWD decides to offer services to former recipients under Section 42-717, the CWD:
  - .41 May establish eligibility criteria for those services in addition to the eligibility criteria contained in Sections 42-717.1 and .2. If additional criteria are established, they must be reflected in the County Plan (see Section 42-780).
  - .42 Shall adopt written policies determining the duration and types of, and, when applicable, the reimbursement rate for, those services.

<b>42-717</b>	<b>JOB RETENTION SERVICES (Continued)</b>	<b>42-717</b>
---------------	---	---------------

- |    |   |
|----|---|
| .5 | In accordance with Section 47-230.14, child care shall be available to former recipients for up to two years from the date the recipient leaves cash aid. |
| .6 | There is no community service requirement for services provided under Section 42-717, unless the CWD adopts a policy requiring community service.         |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11323.2(b) and 11500, Welfare and Institutions Code.
--

**This page is intentionally left blank.**